

Remarks

In response to the Office Action mailed on May 17, 2007, the Applicant respectfully requests reconsideration in view of the following remarks. In the present application, independent claims 6, 13, and 36 have been amended and claims 7 and 37 have been canceled without prejudice or disclaimer. The claims have been amended to clarify that in a single heterogeneous network, the data is adapted by implementing a compression mechanism in response to a determination that a packet size of the data exceeds a maximum transmission unit (MTU) of each network segment, the data is adapted by adjusting a packet size of the data in response to a determination that the packet size of the data exceeds a maximum transmission unit (MTU) of the at least one of the disparate network segments, and to specify translating a protocol of the data according to protocol requirements of the network segment. Support for these amendments may be found on page 14, lines 3-11 in the Specification. No new matter has been added.

Claims 6-7, 9-10, 13, 19, 36-37, and 39 are pending in the application. The claims are rejected under 35 U.S.C. § 103(a) as being unpatentable over Wang (US 6,693,912) in view of Bahadiroglu (US 2002/0186660) and Applicant's Admitted Prior Art.

Applicant's Statement of the Substance of the Interview

A telephonic interview between the undersigned representative for the Applicant and the Examiner was held on November 16, 2007 to discuss proposed amendments to the independent claims in view of the cited references of record. In the interview, the Examiner agreed that at least the proposed amended claim feature specifying the

adaptation of data by implementing a compression mechanism in response to a determination that a packet size of the data exceeds a maximum transmission unit (MTU) of each network segment, appeared to not be disclosed by the cited references and indicated that a further search with respect to this and other proposed amended claim features would be conducted.

Claim Rejections - 35 U.S.C. §103

Claims 6-7, 9-10, 13, 19, 36-37, and 39 are rejected as being unpatentable over the combination of Wang, Bahadiroglu, and Applicant's Admitted Prior Art. Claims 7 and 37 have been canceled without prejudice or disclaimer rendering the rejection of these claims moot. The rejection of the remaining claims is respectfully traversed.

Amended independent claim 6 specifies a method executed by multiple dispersed devices for adapting data received from a remote sending device in a single heterogeneous network according to quality of service parameters associated with a plurality of network segments that are downstream from the dispersed devices. The method includes receiving at the dispersed devices instructions, wherein the instructions instruct the dispersed devices to adapt the data; receiving the data from the remote sending device; adapting the data to conform to quality of service parameters associated with each network segment downstream from one of the dispersed devices therein adapting the data at the dispersed devices rather than adapting the data at the remote sending device wherein the dispersed devices are located between the remote sending device and the plurality of network segments in the single heterogeneous network, wherein the data is adapted by implementing a compression mechanism in response to a determination that a packet size of the data exceeds a maximum transmission unit (MTU)

of each network segment; transmitting the adapted data along each network segment to one of a plurality of segment endpoints wherein the segment endpoints comprise at least one recipient client and at least one sub-segment dispersed device that further adapts the data previously adapted to conform the data according to quality of service parameters associated with a network sub-segment adjacent to and downstream from the at least one of the plurality of segment endpoints comprising the sub-segment dispersed device; and requesting new programming for adapting the data upon detecting changes in the quality of service parameters associated with at least one of the plurality of network segments; wherein values for the quality of service parameters vary among the plurality of network segments.

Amended independent claim 13 specifies a system for transmitting data from a server to multiple dispersed receiving devices located at the end of disparate network segments in a single communications network. The system includes a network device for distributing instructions, wherein the instructions are for adapting the data according to quality of service parameters associated with the disparate network segments in the single communications network; a media server for receiving the instructions from the network device, implementing the instructions to adapt the data according to the quality of service parameters therein adapting the data at the media server rather than adapting the data at the server wherein the media server is located between the server and the disparate network segments, transmitting the adapted data along at least one of the disparate network segments to at least one of the receiving devices or a second media server, and requesting new programming for adapting the data upon detecting changes in the quality of service parameters for at least one of the disparate network segments, wherein the data

is adapted by adjusting a packet size of the data in response to a determination that the packet size of the data exceeds a maximum transmission unit (MTU) of the at least one of the disparate network segments; and the second media server further adapting the adapted data to conform the adapted data according to quality of service parameters associated with a disparate network sub-segment adjacent to and downstream from at least one of the disparate network segments; wherein values for the quality of service parameters vary among the disparate network segments.

Amended independent claim 36 specifies a machine readable medium having stored thereon executable code which causes a device to perform a method of adapting data according to a set of parameters associated with a network segment that is downstream from the device, the method including receiving at the device instructions, wherein the instructions instruct the device to adapt the data; receiving the data from a sending device; adapting the data to conform to a set of quality of service parameters associated with a network segment downstream from the device therein adapting the data at the device rather than adapting the data at the sending device, wherein the data is adapted by implementing a compression mechanism in response to a determination that a packet size of the data exceeds a maximum transmission unit (MTU) of the network segment; translating a protocol of the data according to protocol requirements of the network segment; transmitting the adapted data along the network segment to a sub-segment device; further adapting the adapted data at the sub-segment device to conform according to a second set of quality of service parameters associated with a network sub-segment adjacent to and downstream from the sub-segment device; transmitting the adapted data along the network sub-segment to a client; and requesting new programming

for adapting the data upon detecting changes in the quality of service parameters for the network segment; wherein values for the quality of service parameters vary among each network segment.

It is respectfully submitted that the combination of Wang, Bahadiroglu, and Applicant's Admitted Prior Art fails to teach, disclose, or suggest each of the features specified in amended claims 6, 13, and 36. For example, the aforementioned combination fails to disclose that in a single heterogeneous network, data is adapted by implementing a compression mechanism in response to a determination that a packet size of the data exceeds a maximum transmission unit (MTU) of each network segment (amended claims 6 and 36), data is adapted by adjusting a packet size of the data in response to a determination that the packet size of the data exceeds a maximum transmission unit (MTU) of the at least one of the disparate network segments (amended claim 13), or translating a protocol of the data according to protocol requirements of the network segment (amended claim 36).

Wang discusses Quality of Service (QoS) mapping in multiple networks by generating a program mapping QoS in a first communication network to quality of service in a second communication network so that the first and second communication networks may be interconnected and so that an end user may gain control over QoS mapping methods as an active packet travels from one network to another. (See column 1, line 53 through column 2, line 30).

Bahadiroglu discusses an adaptive packet mechanism for optimizing data packet transmission between a sending and receiving node. (See abstract, paragraph 71, Fig. 6a).

Neither Wang nor Bahadiroglu, alone or in reasonable combination, fail to disclose a single heterogeneous network where data is adapted by implementing a compression mechanism in response to a determination that a packet size of the data exceeds a maximum transmission unit (MTU) of each network segment, by adjusting a packet size of the data in response to a determination that the packet size of the data exceeds a maximum transmission unit (MTU) of the at least one of the disparate network segments, or translating a protocol of the data according to protocol requirements of the network segment. In particular, both of the aforementioned references are silent with respect to adapting data in response to a determination that a packet size of the data exceeds a MTU of one or more network segments. For example, Bahadiroglu merely discusses a packet size packet loss relation model with respect to the latency and jitter of a network or connection. (See paragraph 70). Thus, the Bahadiroglu does not disclose determining whether a packet size exceeds an MTU of one or more network segments. Furthermore, the combination of Wang and Bahadiroglu is also silent with respect to translating a protocol of data according to protocol requirements of a network segment in addition to determining whether a packet size exceeds an MTU of one or more network segments and further adapting the data by adjusting the packet size or implementing a compression mechanism.

It is further respectfully submitted that Applicant's Admitted Prior Art, which was not specifically addressed in the Office Action, also fails to teach, disclose, or suggest at least aforementioned novel features discussed above with respect to amended claims 6, 13, and 36. Therefore, based on the foregoing, amended claims 6, 13, and 36 are allowable and the rejection of these claims should be withdrawn. Claims 9-10, 19, 37,

and 39 depend from amended claims 6, 13, and 36 and are thus allowable for at least the same reasons. Therefore, the rejection of these claims should also be withdrawn.

Conclusion

In view of the foregoing amendments and remarks, this application is now in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is invited to call the Applicant's attorney at the number listed below.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 13-2725.

Respectfully submitted,

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